

107TH CONGRESS  
1ST SESSION

# H. R. 1465

To restrict the use of snowmobiles in units of the National Park System.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mr. HOLT (for himself, Mr. GEORGE MILLER of California, Mr. UDALL of New Mexico, Mr. HINCHEY, Mr. PALLONE, Mr. BLUMENAUER, Mrs. MINK of Hawaii, Mr. NADLER, Mr. LEWIS of Georgia, Mr. HOEFFEL, Ms. MCKINNEY, Ms. DEGETTE, Mr. MOORE, Mr. FARR of California, Mr. KUCINICH, Mr. CAPUANO, Mr. MARKEY, and Mr. UDALL of Colorado) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To restrict the use of snowmobiles in units of the National Park System.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Park Snow-  
5       mobile Restrictions Act of 2001”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) President Nixon in 1972 issued Executive  
2           Order 11644 establishing standards on snowmobile  
3           use on public lands, including the requirements that  
4           snowmobile use in a national park be permitted only  
5           when the National Park Service determines that  
6           such use will not adversely affect the park's natural,  
7           aesthetic, or scenic values, and that the National  
8           Park Service monitor the impacts of any such use in  
9           a national park to assure compliance with those  
10          standards.

11          (2) President Carter in 1977 issued Executive  
12          Order 11989 establishing additional standards on  
13          snowmobile use on public lands, including the re-  
14          quirements that the National Park Service, when-  
15          ever it determines that any such use is causing con-  
16          siderable adverse effects on the natural resources of  
17          a national park, immediately halt the use or other-  
18          wise take steps to prevent those effects.

19          (3) In compliance with these Executive Orders,  
20          the National Park Service in 1983 issued regulations  
21          (section 2.18 of title 36, Code of Federal Regula-  
22          tions) providing in part the following: "Snowmobiles  
23          are prohibited except where designated and only  
24          when their use is consistent with the park's natural,  
25          cultural, scenic and aesthetic values, safety consider-

1        ations, park management objectives, and will not  
2        disturb wildlife or damage park resources.”.

3            (4) Pursuant to these general regulations, the  
4        National Park Service has issued special regulations  
5        designating routes on which snowmobiles may travel  
6        in 41 units of the National Park System.

7            (5) A survey the National Park Service con-  
8        ducted in 1999–2000 on snowmobile use in units of  
9        the National Park System revealed that—

10            (A) with respect to most of the units in  
11            which snowmobile use occurs, the Service had  
12            never made a determination that such use  
13            would be consistent with the requirements of  
14            Executive Orders 11644 and 11989 and its own  
15            general snowmobile regulations;

16            (B) snowmobile use was occurring in two  
17            units for which no routes had been designated  
18            for such use by special regulations, and, in  
19            other units, snowmobile use was occurring on  
20            routes which had not been designated for that  
21            use by special regulations;

22            (C) in most units in which snowmobile use  
23            occurs, the Service had not conducted and was  
24            not conducting the monitoring required by Ex-

1           ecutive Order 11644 of the impacts of that  
2           snowmobile use; and

3           (D) snowmobile use in many units was  
4           causing impacts inconsistent with the standards  
5           of Executive Orders 11644 and 11989 and the  
6           general snowmobile regulations.

7           (6) In April 2000, to come into compliance with  
8           the requirements of Executive Orders 11644 and  
9           11989 and the general snowmobile regulations, the  
10          National Park Service announced that it—

11           (A) had determined that, in most in-  
12           stances, recreational use of snowmobiles is not  
13           an appropriate use in units of the National  
14           Park System; and

15           (B) was initiating a process to adopt new  
16           requirements to limit snowmobile use in units of  
17           the National Park System (other than units in  
18           the State of Alaska and Voyageurs National  
19           Park) to short routes providing access to adja-  
20           cent public lands open to recreational snow-  
21           mobile use and to routes providing necessary  
22           access to private property within or adjacent to  
23           such units.

24           (7) In November 2000, based on a final envi-  
25           ronmental impact statement on a winter use plan for

1       Yellowstone National Park, Grand Teton National  
2       Park, and the John D. Rockefeller, Jr., Memorial  
3       Parkway and on other studies and information, the  
4       National Park Service adopted a record of decision  
5       determining that the snowmobile use occurring in  
6       those parks is causing impacts that are inconsistent  
7       with—

8               (A) Executive Orders 11644 and 11989  
9               and the general snowmobile regulations;

10              (B) the requirements of the Clean Air Act  
11              (42 U.S.C. 7401 et seq.); and

12              (C) the requirement of the first section of  
13              the Act of August 25, 1916 (16 U.S.C. 1; com-  
14              monly known as the National Park Service Or-  
15              ganic Act) that the Service manage units of the  
16              National Park System “in such manner and by  
17              such means as will leave them unimpaired for  
18              the enjoyment of future generations”.

19              (8) In January 2001, to implement the record  
20              of decision referred to in paragraph (7), the Na-  
21              tional Park Service adopted final regulations amend-  
22              ing part 7 of title 36, Code of Federal Regulations,  
23              to phase out by the winter of 2003–2004 all snow-  
24              mobile use in Yellowstone National Park and the  
25              John D. Rockefeller, Jr., Memorial Parkway and

1 most snowmobile use in Grand Teton National Park,  
2 as published in the Federal Register on January 22,  
3 2001 (66 Fed. Reg. 7260).

4 (9) The new regulations referred to in para-  
5 graph (8) or other regulations under consideration  
6 by the National Park Service to restrict snowmobile  
7 use in units of the National Park System do not  
8 apply to other Federal lands, where the over-  
9 whelming majority of the snowmobile use occurring  
10 on Federal lands takes place and will be able to con-  
11 tinue to take place.

12 **SEC. 3. RESTRICTIONS ON SNOWMOBILE USE IN THE NA-**  
13 **TIONAL PARK SYSTEM.**

14 (a) DEFINITIONS.—In this section:

15 (1) NATIONAL PARK.—The term “national  
16 park” means a unit of the National Park System.

17 (2) SECRETARY.—The term “Secretary” means  
18 the Secretary of the Interior, acting through the Na-  
19 tional Park Service.

20 (b) GENERAL PROHIBITION.—The use of snowmo-  
21 biles in a national park is prohibited except on a des-  
22 ignated route described in subsection (c) and only when  
23 the Secretary determines that the use of snowmobiles is  
24 consistent with the park’s natural, cultural, scenic, and  
25 aesthetic values, safety considerations, and park manage-

1 ment objectives, and will not disturb wildlife or damage  
2 park resources.

3 (c) DESIGNATED ROUTES.—A designated route re-  
4 ferred to in subsection (b) is any snowmobile route des-  
5 ignated by regulation issued by the Secretary after Janu-  
6 ary 1, 2001 (including those routes designated with re-  
7 spect to Grand Teton National Park by paragraphs (10)  
8 and (12) of section 7.22(g) of title 36, Code of Federal  
9 Regulations, as published in the Federal Register on Jan-  
10 uary 22, 2001 (66 Fed. Reg. 7260), subject to any subse-  
11 quent amendment of such designations), but only if the  
12 designated route—

13 (1) is authorized for use by motor vehicles or  
14 motorboats during other seasons; and

15 (2) provides reasonable and direct public access  
16 by snowmobile—

17 (A) to public lands that are adjacent to or  
18 in the immediate vicinity of the national park  
19 and are open to public snowmobile use; or

20 (B) to private property within, adjacent to,  
21 or in the immediate vicinity of the national  
22 park by the owners of the private property and  
23 their representatives and invitees, when that  
24 snowmobile access is the only practical means  
25 of winter access to the private property.

1 (d) MONITORING.—Whenever snowmobile use is per-  
2 mitted in a national park, the Secretary shall ensure that  
3 the impacts of that use are monitored to assure that it  
4 is consistent with the standards specified in subsection (b).  
5 If the Secretary determines that the use is not consistent  
6 with those standards, the Secretary shall immediately cur-  
7 tail or halt the use or take other steps as necessary to  
8 ensure consistency with those standards.

9 (e) EXCEPTIONS.—

10 (1) EXCEPTION FOR CERTAIN PARKS.—Sub-  
11 sections (b), (c), and (d) do not apply to any na-  
12 tional park in Alaska and to Voyageurs National  
13 Park.

14 (2) EXCEPTION TO CERTAIN USES.—Sub-  
15 sections (b), (c), and (d) do not apply to—

16 (A) the use of snowmobiles by the National  
17 Park Service and its contractors and agents, if  
18 the Secretary determines that such use is essen-  
19 tial for the management of a national park; and

20 (B) the use of snowmobiles in emergency  
21 situations, as determined by the superintendent  
22 of the national park.

23 (f) EFFECTIVE DATES.—This Act takes effect begin-  
24 ning with the winter of 2003–2004 with respect to Yellow-  
25 stone National Park, Grand Teton National Park, and the



- 1 John D. Rockefeller, Jr., Memorial Parkway, and begin-
- 2 ning with the winter of 2002–2003 with respect to other
- 3 national parks.

